

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3
4 BERNARD HAMILTON, No. C 09-0648 CW (PR)
5 Plaintiff, ORDER GRANTING IN PART AND
6 v. DENYING IN PART DEFENDANTS' REQUEST FOR AN EXTENSION OF
7 G. THOMPSON, et al., TIME TO FILE ANSWER AND DISPOSITIVE MOTION; AND SETTING
8 Defendants. BRIEFING SCHEDULE
9 _____/

10 Defendants request a thirty-day extension of time to file an
11 answer to the second amended complaint. In its March 22, 2010
12 Order of Service, the Court stated: "Defendants will not be
13 required to serve and file an answer before sixty (60) days from
14 the date on which the request for waiver was sent." (Mar. 22, 2010
15 Order at 7.) The request for waiver was sent on March 25, 2010;
16 therefore, the answer was due on May 25, 2010. Defendants' request
17 for a thirty-day extension of time to file their answer would have
18 resulted in a new deadline of June 24, 2010.

19 Defendants also ask the Court to extend the deadline to file a
20 dispositive motion to ninety days from the date Defendants' answer
21 is filed.

22 Having read and considered Defendants' request and the
23 accompanying declaration of counsel, and good cause appearing,

24 IT IS HEREBY ORDERED that Defendants' requests for extensions
25 of time to file an answer and a dispositive motion are GRANTED in
part and DENIED in part.

26 Because the requested deadline to file an answer has passed,
27 the Court GRANTS Defendants a brief extension, until July 23, to
28 file their answer. The deadline to file a dispositive motion will

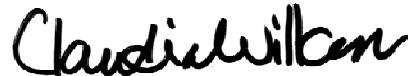
1 be extended for the requested ninety days from the date the answer
2 should have been filed.

3 Accordingly, Defendants' answer must be filed no later than
4 July 23, 2010. Defendants' dispositive motion must be filed no
5 later than September 24, 2010. Plaintiff's opposition to the
6 dispositive motion shall be filed with the Court and served on
7 Defendants no later than sixty (60) days after the date Defendants'
8 motion is filed. If Defendants wish to file a reply brief, they
9 shall do so no later than fifteen (15) days after the date
10 Plaintiff's opposition is filed.

11 This Order terminates Docket no. 25.

12 IT IS SO ORDERED.

13 Dated: 7/13/2010



14 CLAUDIA WILKEN
15 UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BERNARD HAMILTON,

Plaintiff,

Case Number: CV09-00648 CW

V.

G. THOMSON et al.

Defendant.

CERTIFICATE OF SERVICE

G. THOMSON et al,

7 || Research

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on July 13, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
receptacle located in the Clerk's office.

15 Bernard Hamilton C-27300
16 San Quentin State Prison
16 San Quentin, CA 94964

17 || Dated: July 13, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk